

EXHIBIT F

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. BARBARA JAFFE

Justice

PART 12

-----X
EMFT, LLC

Plaintiff,

- v -

INDEX NO. 650886/2017

MOTION DATE _____

MOTION SEQ. NO. 1

ORDER

BROADWAY 371, LLC, ELAD GROUP
PROPERTIES LLC, and THE BOARD OF
DIRECTORS OF THE FRANKLIN PLACE
CONDOMINIUM,

Defendants.
-----X

By notice of motion, plaintiff moves without opposition pursuant to CPLR 602 for an order consolidating this action with a related action commenced in this court by another plaintiff against the same defendants. As the two actions arise from the construction of the same residential condominium building and its chimney, concern common issues of law, and involve all the same parties except one party that is only in the later action, the motion is meritorious. Accordingly, it is hereby

ORDERED, that the motion is granted and the above-captioned action is consolidated in this Court with 373-375 Broadway LLC v BROADWAY 371, LLC, ELAD GROUP PROPERTIES LLC, and THE BOARD OF DIRECTORS OF THE FRANKLIN PLACE CONDOMINIUM, Index No.156959/2016, pending in this Court, under Index No. 156959/2016, and the consolidated action shall bear the following caption:

EMFT, LLC and 373-375 BROADWAY, LLC,

Plaintiffs,

-against-

BROADWAY 371, LLC, ELAD GROUP PROPERTIES
LLC, and THE BOARD OF DIRECTORS OF THE
FRANKLIN PLACE CONDOMINIUM,

Defendants.

And it is further

ORDERED that the pleadings in the actions hereby consolidated shall stand as the
pleadings in the consolidated action; it is further

ORDERED that plaintiff is directed promptly to serve a copy of this order with notice of
entry on the County Clerk (60 Centre Street, Room 141 B), who shall consolidate the papers in
the actions hereby consolidated and shall mark his records to reflect the consolidation; it is
further

ORDERED that plaintiff is directed to serve a copy of this order with notice of entry on
the Clerk of the General Clerk's Office (60 Centre Street, Room 119), who is hereby directed to
mark the court's records to reflect the consolidation; and it is further

ORDERED that counsel are directed to appear for a status conference in Room 341, 60
Centre Street, on March 7, 2018, at 2:15 PM.

1/12/2018

DATE

BARBARA JAFFE, J.S.C.

HON. BARBARA JAFFE

CHECK ONE:

APPLICATION:

CHECK IF APPROPRIATE:

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

CASE DISPOSED

GRANTED

SETTLE ORDER

DO NOT POST

☐

DENIED

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

NON-FINAL DISPOSITION

GRANTED IN PART

SUBMIT ORDER

FIDUCIARY APPOINTMENT

☐

OTHER

☐

REFERENCE